

1
2
3
4
5
6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
9

10 BILLY COY COCHRAN,

No. C 06-0909 CRB

11 Petitioner,

ORDER APPOINTING COUNSEL

12 v.

13 MATTHEW KRAMER, Warden

14 Respondent.
15

16 Petitioner, a state prisoner currently incarcerated at Folsom State Prison in Folsom,
17 California seeks a writ of habeas corpus under 28 U.S.C. § 2254, claiming denial of his due
18 process right to a fair trial based on a myriad of due process, structural, and evidentiary
19 grounds. On May 1, 2009, this Court ordered Respondent to file a supplemental response
20 addressing whether Petitioner's convictions on counts 5 and 6, both for dissuading a witness,
21 are duplicative. Respondent responded on May 26, 2009, and Petitioner replied on June 3,
22 2009. After carefully considering the papers filed by the parties, and reviewing the record,
23 the Court concludes that there is good cause to appoint Petitioner counsel. Accordingly,
24 Mark R. Conrad, of the law firm of Munger, Tolles & Olson LLP, is appointed to represent
25 petitioner Billy Coy Cochran in the habeas proceedings before this Court for the limited
26 purpose of addressing whether counts 5 and 6 are duplicative.

27 Petitioner's counsel shall review the record and advise the Court whether
28 supplemental briefing is required. If Petitioner chooses to file a supplemental memorandum,
the Court will give Respondent the opportunity to file a supplemental response. Petitioner
and Respondent are directed to confer to try to stipulate to a reasonable schedule for any

supplemental briefing.

IT IS SO ORDERED.

Dated: June 10, 2009



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE